



PLANNING PERFORMANCE AGREEMENT (PPA)

Template v0.6

AGREEMENT INFORMATION

PPA REFERENCE:	PPA 4367
COST CENTRE CODE:	TBC on first invoice
RELATING TO SITE:	The Beehive Centre, Coldhams Lane, Cambridge CB1 3ET
DESCRIPTION OF DEVELOPMENT:	Proposed redevelopment for up to 1.5 million sq ft of technology and life science workspaces (Class E) in 11 buildings, including 2 cycle barns and a multi-storey car park. Ground floor commercial, retail, café, leisure and community uses, 3.7 ha of new public realm including active streets, green spaces, squares and a new wetland habitat. Improvements to the local cycle infrastructure including the Chisolm Trail.
PLANNING REFERENCE(S):	21/50136/PREAPP / Application reference to be confirmed.
DATE OF AGREEMENT:	31 January 2022
BETWEEN (LOCAL AUTHORITY):	Cambridge City Council, Mandela House, 4 Regent Street, Cambridge, CB2 1BY
AND (APPLICANT):	Railway Pension Nominees Limited 100 Liverpool Street,

	London EC2M 2AT Also known, in shorthand, as Railpen
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PRIMARY CONTACT DETAILS

For the purposes of agreeing, operating or amending this PPA. The full Project team is outlined in Appendix 2. Contact with the Local Authority should always be through the case officer.

LOCAL AUTHORITY (CASE OFFICER):	Steve Fraser-Lim, Principal Planner Steve.FraserLim@scambs.gov.uk 07704 018428
APPLICANT OR AGENT:	Mike Derbyshire (Agent) Partner, Head of Planning mike.derbyshire@bidwells.co.uk 07747564122
APPLICANT'S INVOICING ADDRESS	Railway Pension Nominees Limited 100 Liverpool Street, London EC2M 2AT

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1. INTRODUCTION & PURPOSE

INTRODUCTION

1.1. A planning performance agreement (PPA) is a project management tool which the local planning authorities and applicants can use to agree timescales, actions and resources for handling certain significant or complex applications. It should cover the pre-application and application stages but may also extend through to the post-application stage.

1.2. Planning performance agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications.

They encourage joint working between the applicant and local planning authority and can also help to bring together other parties such as statutory consultees.

- 1.3. A planning performance agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted and can be a useful focus of pre-application discussions about the issues that will need to be addressed.

PURPOSE

- 1.4. This PPA provides a framework for cooperation. It is not intended in any way to prejudge or influence the determination of the planning application, the Council's impartiality or its discretion as local planning authority in any way. Rather, it is a memorandum of understanding between the Local Authority and the Applicant. Entering into such an agreement, whilst promoting collaborative working to achieve the end goal, cannot be a barrier to the Local Authority exercising its statutory functions. This may occur when the Applicant or their contractors are potentially in breach of legislation and/or committing other offences for which the Local Authority has responsibility for enforcement.
- 1.5. Its purpose is to encourage cooperation, trust and effective communication between the Local Authority and the Applicant. Its aim is to facilitate high quality development and ensure prompt, clear and robust decision making. It is imperative that these fundamentals are respected by all parties to the agreement and information is not withheld, is clear, open, transparent and made available in good time.
- 1.6. The shared Vision & Objectives of this PPA are outlined in Appendix 1.
- 1.7. Cambridge City Council (CCC) is the local planning authority for development within the area in which the site is located. The Greater Cambridge Shared Planning Service (GCSPS) will act as their agent and provide the services outlined under this PPA.
- 1.8. The Applicant is RPMI Railpen. They are represented by Bidwells LLP.
- 1.9. The Site is Beehive Centre, Coldhams Lane, Cambridge CB1 3ET.

1.10. Proposed redevelopment for up to 1.5 million sq ft of technology and life science workspaces (Class E) in 11 buildings, including 2 cycle barns and a multi-storey car park. Ground floor commercial and local community uses including but not exclusively comprising retail, café, leisure, hospitality and break out workspace; 3.7 ha of new public realm including active streets, green spaces, squares and a new wetland habitat. Improvements to the local cycle infrastructure including the Chisolm Trail.

1.11. This agreement is made pursuant to Section 111 of the Local Government Act 1972 Section 93 of the Local Government Act 2003 and Section 1 of the Localism Act 2011.

1.12. Nothing in this agreement shall restrict or inhibit the Applicant(s) from exercising their right of appeal under Section 78 of the Town and Country Planning Act 1990.

2. TERMS OF THE AGREEMENT

DURATION OF THE AGREEMENT

2.1. This agreement will be effective for the period up to the determination of the planning application and in respect of the discharge of any conditions and nonmaterial amendments attached to that approval including pre-application discussions on these, albeit it may be extended in the event that subsequent applications overlap with the current one. Alternatively, further PPA's may be agreed for later phases of development if applicable.

2.2. The Term will be subject to review as may be agreed between the Applicant and the Local Authority.

2.3. The agreement will be terminated where:

2.3.1. the Applicant submits an appeal in relation to the planning application under Section 78 of the Town and Country Planning Act 1990 (as amended);

2.3.2. or the planning application is called in by the Secretary of State;

2.3.3. or the planning application is determined, and any related Section 106 Agreement is concluded.

TIMESCALES & PROJECT TEAM

2.4. The proposed project team for the Local Authority is set out in Appendix 2.

- 2.5. The anticipated programme and milestones are set out in Appendix 3.
- 2.6. This programme is indicative and will be kept under review by both parties. Any delay will need to be reflected in the programme. In case the programme is delayed for unforeseen reasons or there is any other need to review the programme, the costs applied will be reviewed alongside the programme.
- 2.7. Both parties will use their reasonable endeavours to adhere to the timetable for the project.
- 2.8. The timetable will be reviewed between both parties and amended as necessary to take account of any relevant unforeseen matters that might arise.
- 2.9. If the programme is suspended or amended significantly by the Applicant the Local Authority reserves the right to allow for a suitable lead in period for remobilisation of resources, to be confirmed on a case by case basis.

SHARED PERFORMANCE STANDARDS

- 2.10. This PPA agreement must be signed by all parties before the Local Authority will commence work under the PPA.
- 2.11. The Local Authority and the Applicant commit to using reasonable endeavours to achieve the following performance standards for the duration of the agreement.
- 2.12. Both parties will act with fairness and in good faith in respect of all matters related to the handling of pre-application discussions and of the planning application and will work jointly in complying with their respective obligations under this agreement.
- 2.13. Both parties will address expeditiously any requests for clarification and/or further information and will seek to do so within 10 working days of any request (excluding reports where the Local Authority will advise the Applicant on an appropriate timeline for a response). In addition, the Applicant will undertake to provide a pack of information and material (e.g. drawings, design statements, technical information etc.) at least 10 working days in advance of any Design Workshop or other meeting where material submitted is to be discussed.
- 2.14. Both parties undertake to meet and/or discuss matters by telephone or e-mail in a spirit of co-operation and where necessary seek early resolution of any areas of misunderstanding or dispute.
- 2.15. A shared issues log will be maintained throughout the pre-application and post submission application process. The issues shall be drawn from the meeting notes

and the issues log will be updated following each meeting and reviewed as a key part of every meeting. The Applicant (or their Agent) will be responsible for updating the issues log but inputs must be coordinated from all parties.

- 2.16. Any issues that cannot be resolved through the project team meetings shall be escalated to the relevant person(s) within the Local Authority to discuss the best way to achieve resolution.

FEES

- 2.17. All fees charged for this PPA service are provided purely 'at cost' to the Local Authority.
- 2.18. In consideration of this agreement the Applicant agrees to pay the Local Authority an estimated fee of £95,000 (excluding VAT) to assist the Council in providing the level of service (as set out in the Appendices) required to meet its obligations under this PPA only.
- 2.19. For the avoidance of doubt, this fee is in addition to any applicable application fees payable under the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended and also in addition to fees payable for other services such as Design Review Panels.
- 2.20. The calculation and phasing for this fee is set out in Appendix 4.
- 2.21. Regardless of the Local Authority noted on the PPA all invoices for PPAs undertaken by the GCSPS will be invoiced through either 1) Business Operations Team or 2) Sundry Debtors Team at South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge CB23 6EA.
- 2.22. Specific matters arising that require procurement of any external resources will not necessarily be known during early stages of a project. The Local Authority reserves the right to withhold service (including against any agreed milestones within the PPA programme) if these reasonable additional resources are not agreed by the Applicant in a timely manner.

PLANNING OBLIGATIONS AND CONDITIONS

- 2.23. The Applicant shall indicate likely obligations to be provided with its preapplication consultation material.
- 2.24. The Applicant shall include details of proposed Heads of Terms for planning obligations with the application documentation.
- 2.25. The Applicant's Solicitors will prepare the first draft of the S106 Agreement for review by the Council.

- 2.26. The Council shall consult with the Applicant on the detailed wording of proposed planning conditions, giving them at least 10 working days to comment, before finalising these and setting them out clearly in the officer report to Committee.
- 2.27. In relation to planning conditions, the parties agree on the objective that these be kept to a working minimum and the Applicant will endeavour to ensure that as much detail is provided as is possible within the application submission to ensure that conditions can require compliance (e.g. with technical material, drawings, reports etc.) rather than requiring further submissions. This excludes conditions related to contaminated land.
- 2.28. The parties agree however that for those conditions that need to be discharged before development commences, the intention will be for these to be determined within 8 weeks of submission and that relevant pre-submission meetings will be held with relevant consultees when submissions are being finalised.¹

FREEDOM OF INFORMATION

- 2.29. The Applicant acknowledges that the Local Authority (or its Agent) may be required under the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 or the Local Government Acts to disclose Information concerning the Applicant or this PPA (including commercially sensitive information) without consulting or obtaining consent from the Applicant. In these circumstances the Local Authority shall, in accordance with any relevant guidance issued under the FOIA, take reasonable steps, where appropriate, to give the Applicant advance notice, or failing that, to draw the disclosure to the Applicant's attention after any such disclosure.
- 2.30. Notwithstanding any other provision in this PPA, the Local Authority shall be responsible for determining in its absolute discretion whether any Information relating to the Applicant or this PPA is exempt from disclosure in accordance with the FOIA and/or the Environmental Information Regulations 2004 or the Local Government Acts.

ADDITIONAL TERMS SPECIFIC TO THIS PPA

- 2.31. The PPA sets out meetings covering Stages 3 of the pre-application process (pre-apps and workshops), as well as an enhanced service during the application phase.

¹ It may be necessary to agree bespoke PPA type fees for the discharge of planning conditions at a later stage in the process.

Meetings and feedback for stage 1 and 2 of the preapplication process have already been completed.

3. AGREEMENT

The Greater Cambridge Planning Service and the Applicant hereby agree to the content of this Planning Performance Agreement. This agreement must be signed by both parties.

Greater Cambridge Shared Planning Service (GCSPS)

Name: Sharon Brown

Signature: *SP Toby Williams*

Area Development Manager
Greater Cambridge Planning Service
31 Jan 22

Railway Pension Nominees Limited

Name: Sally-Ann James Craig Heron

Signature:

Sally-Ann James
Sally-Ann James (Jan 28, 2022 11:02 GMT)

Craig Heron
Craig Heron (Jan 28, 2022 11:07 GMT)

Position:

General Counsel

Head of Public Markets

On Behalf Of:

Railway Pension Nominees Limited

Date:

28-Jan-2022

APPENDIX 1: VISION & OBJECTIVES

Shared Vision and Objectives

The 7.05-hectare site represents a sizeable piece of land adjacent to the city centre currently given over to large format retail units. The redevelopment of such a site provides a rare opportunity to create a new and meaningful piece of urban design with a positive contribution to the city.

There is an identified need for high quality purpose-built technology and life science workplace buildings within Cambridge and the city centre. Located between the two railway stations and adjacent to the city centre, this site represents an ideal location to bring forward an urban scale proposal that would ensure the long-term sustainable use of the site.

Sustainability is a key driver for the project with aspirations for the project to have exemplar environmental credentials including all buildings achieving at least BREEAM Excellent, a substantial biodiversity net-gain and the adoption of an energy strategy, that utilises a fabric first approach, to enable a holistic response to climate emergency.

The key objectives for the site include:

- Deliver an exemplar of sustainable development and help the City meet its climate change objectives;
- Repair the urban fabric of this part of the City, integrate it into its surroundings; “green” the site and provide substantial areas of high quality, multifunctional public realm;
- Deliver an accessible, exceptional quality cycle and pedestrian environment;
- Optimise development on this brownfield site and deliver high quality buildings and spaces for the knowledge industry in a town centre environment; and
- Enhance and diversify the range of employment opportunities on site.

Key Planning Issues

The first pre-application meeting was held on 28 April 2021. The focus of discussion identified two key planning issues, namely place-making and the proposed mix of uses, and the proposed height and massing. Two further pre-apps (referred to as pre-apps 1a and 1b) are proposed to discuss in further detail these two key issues. While these two pre-apps are not included within the PPA payment schedule and are to be invoiced separately, it is important to note them in the planning programme.

In addition to the points raised above, it will be crucial for the scheme to have an appropriate level of engagement with officers to ensure the right level of development is provided in the right places.

APPENDIX 2: PROJECT TEAM

Advice Service	Required (Y/N, delete as appropriate)
Delivery Case Officer	Y
Area Development Manager	Y
Delivery Manager	
Programme Manager	N
Admin Support	Y
Technical Support	Y
Urban Design	Y
Landscape	Y
Trees	Y
Conservation	Y
Streets and Open Spaces	Y
Planning Policy	Y/N
Housing	Y
Ecology	Y
Community Development Officer	Y
Sustainable Drainage	Y
Sustainability	Y
Environmental Health – Air Quality	Y
Environmental Health – Noise & Vibration & Artificial Lighting	Y

Environmental Health – Land Contamination	Y
Health Specialist – Health Impact Assessment	Y
Viability	TBC
Retail advice	Y

APPENDIX 3: KEY MILESTONES

List here all the significant milestones to be achieved throughout this PPA, together with proposed completion date and lead responsible Team Member for this task.

Stage 2- Initial conception and Pre-app 1 – Completed

Stage 2 ctd- Pre-app 1a, 1b, 1c - Completed Stage 3-

Further pre-apps and meetings

- 4-5 pre-app meetings (1 meeting every six weeks) – 2.5hrs meeting with 2hrs prep time for all officers and 3hrs for response (Case Officer only)
- 9-12 technical workshops (average of 3 workshops between each pre-app)– 2hr meeting with 2hrs prep time for all officers and 3hrs for response (Case Officer Only) focusing on the following topics:
 - o Urban Design o Conservation o Landscape o Townscape
 - o Noise and air pollution o Transport and Movement o Ecology o Drainage o Trees o Sustainability
 - o Environmental Impact Assessment Scoping o Application procedure and format - 2 design and conservation panels:
 - o Planning Officers- 2 hrs o Conservation – 2 hrs o Landscape – 2 hrs
- 2 Members Briefing Meetings: o Planning Officers- 2 hrs o Conservation- 2 hrs
 - o Landscape- 2hrs
- Applicant preapplication consultation events o Predominantly led by applicant but may require limited input from case officer

All workshops and pre-app meetings to be concluded in mid 2022, targeting an application submission November 2022.

An example of workshop/pre-app schedule is set out below- dates to be agreed:

Milestone	Proposed date for completion	Responsible Team Member(s)
Issuing of Pre App 1 Documents	1 week ahead of meeting	N/A
Pre-app 1	February 2021	Steve Fraser-Lim Toby Williams Urban Design Sustainability Landscape Cycle and Movement Environmental Health
Issuing of Pre-app 2 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing of Workshop 1 Documents	1 week ahead of meeting	N/A
Workshop 1 (Urban Design, local townscape)	February 2021	Steve Fraser-Lim Toby Williams Urban Design
Issuing of Workshop 1 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing of Workshop 2 Documents	1 week ahead of meeting	N/A
Workshop 2 (Conservation)	February / March 2021	Steve Fraser-Lim Toby Williams Conservation
Issuing of Workshop 2 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing of Workshop 3 Documents	1 week ahead of meeting	N/A
Workshop 3 (Landscape and drainage)	March 2021	Steve Fraser-Lim Toby Williams Landscape Drainage

Issuing Workshop 3 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Workshop 4 (Wider townscape)	March 2021	Steve Fraser-Lim Toby Williams Landscape Urban Design
Issuing Workshop 4 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing of Pre-app 2 Documents	1 week ahead of meeting	N/A
Pre-app 2	March 2021	Steve Fraser-Lim Toby Williams Urban Design Sustainability Landscape Cycle and Movement Environmental Health
Issuing of Pre-app 2 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing of Workshop 4 Documents	1 week ahead of meeting	N/A
Workshop 4 (Transport and movement)	March / April	Transport officer CCC Steve Fraser-Lim Toby Williams
Issuing of Workshop 4 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing Workshop 5 Documents	1 week ahead of meeting	N/A
Workshop 5 (Ecology)	April	Steve Fraser-Lim Toby Williams Ecology
Issuing workshop 5 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing Workshop 6 Documents	1 week ahead of meeting	N/A
Workshop 6 (Noise and Air pollution)	April	Steve Fraser-Lim Toby Williams

		EHO
Issuing of Workshop 6 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Issuing Pre-app 3 documents	1 week ahead of meeting	
Pre-app 3	May	Steve Fraser-Lim Toby Williams Urban Design Sustainability Landscape Cycle and Movement Environmental Health
Issuing of Pre-app 3 Response	No later than 2 weeks after meeting	Steve Fraser-Lim Toby Williams
Workshops 7, 8, 9, 10 to be arranged to consider EIA scoping / trees / landscape / conservation / urban design)	May / June	Steve Fraser-Lim Other officers as appropriate
Pre-app 4	June	Steve Fraser-Lim Toby Williams Urban Design Sustainability Landscape Cycle and Movement Environmental Health
Further workshop meetings / pre-app meeting as appropriate	June / July	Steve Fraser-Lim Other officers as appropriate.
VAST MAJORITY OF WORKSHOPS AND PRE-APPS TO BE CONCLUDED BY JUNE / JULY 2022 (Remaining meetings after June / July likely to be process related with regard to submission of information)		
Planning Application		
Submission of planning application	November 2022	Delivery Case Officer
Post-consultation expiry meeting	Within 2 months of submission date	

Submission of additional information or revisions to the application if necessary (If such information / revisions are considered appropriate by officers within context of application scope and process)	Between February and at least 2 months prior to committee date	Applicant team (provided scope of additional information / revisions are accepted by officers)
Development Control Committee Date	August 2023	Case officer and wider officer team
Completion of S106 and Issuing of Decision Notice	October 2023	
Submission of Reserved Matters application or Discharge of Conditions		
Start on site		

APPENDIX 4: FEE CALCULATION AND PHASING OF PAYMENTS

The Pre-application phase is estimated to be £60,000 based on work already undertaken, 5 further pre-application meetings and 9-12 workshop meetings which would comprise approximately 550 hours of officer time.

The cost for the application phase in terms of an enhanced application service is estimated to be £35,000, resulting in a total PPA cost of £95,000. This shall be invoiced / paid on the following milestones:

- Payment 1 (£20,000) on commencement of further pre-application discussions (February 2022).
- Payment 2 (£20,000) on submission of officer feedback following the 3rd PPA meeting (anticipated to be in May 2022).
- Payment 3 (£20,000) on conclusion of all substantive preapplication meetings, excluding process relating meetings in connection with procedure for submission of application (anticipated to be July 2022).
- Payment 4 (£20,000) on submission of the planning application (anticipated to be November 2022)
- Payment 5 (£15,000) on completion of the S106 agreement (anticipated to be October 2023).

APPENDIX 5: APPLICATION DOCUMENTS

List of documents that may be required to be included with the PPA application (subject to change as a result of discussions on application format).

- ☐ STANDARD DOCUMENTS
 - o Planning Application Form and Certificates; o CIL forms; o Site Location Plan; o Financial viability appraisal o Accommodation Schedule; o Drawing Schedule; o Application Drawings;
- ☐ ENVIRONMENTAL STATEMENT
 - o Environmental Statement volumes (topics to be confirmed during scoping exercise)
 - o ES Non-Technical Summary
- ☐ DESIGN & QUALITY
 - o Design Code / Compliance o Town Planning Statement (including Draft s106 Heads of Terms); o Design and Access Statement; o Landscape, Townscape, Heritage or Visual Impact Assessment; o Access Statement;
 - o Daylight and Sunlight Report (including light within) o Statement of Community Involvement; o Sustainability Statement (including Green Performance Plan); o Energy Strategy Report; o Site Waste Management Statement
- ☐ ENVIRONMENTAL HEALTH
 - o Noise Assessment o Air Quality Assessment o Health Impact Assessment o Artificial lighting impact assessment o Contaminated land – Phase 1 desktop study
- ☐ TRANSPORT & UTILITIES
 - o Transport Assessment (including PERS Audit, Stage 1 Safety Audit and Refuse Strategy o Utilities Report o Drainage Assessment Report
- ☐ NATURAL ENVIRONMENT
 - o Arboricultural Survey o Arboricultural Impact Assessment o Extended Phase 1 Habitat Survey o Bat Survey o Microclimate (wind) analysis
- ☐ SOCIO ECONOMIC
 - o Life sciences Market report o Retail report o Local labour, skills and employment plan

